

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. CR-4-06-70440 WDB

STIPULATION AND ~~[PROPOSED]~~

ORDER CONTINUING DATE FOR

PRELIMINARY HEARING OR

ARRAIGNMENT FOR JEANNE LILLY

Current Date: August 2, 2006

Requested Date: September 7, 2006

Ms. Lilly has a right under Federal Rule of Criminal Procedure 5.1 to a preliminary hearing or indictment within 20 days. Ms. Lilly and counsel have discussed that right, and Ms.

cc: WTB's Stats, Cognes to parties  
Per ECF

Lilly desires to waive that right. Good cause for the extension exists because of the delay in discovery, and because of the continuing discussions between Ms. Lilly and the government. In addition, Ms. Lilly has a right under 18 U.S.C. § 3161(b) to be indicted within thirty days. Ms. Lilly and counsel have discussed that right, and Ms. Lilly desires to exclude time between August 2, 2006 and September 7, 2006 under 18 U.S.C. § 3161(h)(8)(A) and (B)(iv) because of the continuing discussions and delay in discovery, which have delayed the effective preparation of counsel. The parties stipulate that the ends of justice served by the granting of this continuance outweigh the best interests of the public and Ms. Lilly in a speedy indictment and trial.

SO STIPULATED.

/S/

Date: July 24, 2006

\_\_\_\_\_  
Rebecca Silbert  
Assistant Federal Public Defender  
Counsel for Ms. Lilly

/S/

Date: July 27, 2006

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George Bevan  
Assistant United States Attorney

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

In light of the stipulation of the parties, and because of the ongoing discussions and delay in discovery, the Court HEREBY ORDERS that the date for preliminary hearing or arraignment, as applied to Jeanne Lilly, be continued to September 7, 2006. The Court further orders that time be excluded from August 2, 2006 to September 7, 2006 pursuant to 18 U.S.C. § 3161(h)(8)(A) and (B)(iv), and finds that the ends of justice served by granting the continuance outweigh the best interests of the public and Ms. Lilly in a speedy indictment and trial. The Court further finds that the continuance is necessary for effective preparation of counsel, taking into account the exercise of due diligence, because of the ongoing discussions and delay in discovery.

Dated: 7/28/06

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Honorable Wayne D. Brazil  
Magistrate Judge, United States District Court  
Northern District of California